

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

Civil Action No.

G. RENEE PAYNE-CALLENDER,

Plaintiff

v.

DONNA M. GAVIN and
CITY OF BOSTON POLICE DEPARTMENT,
Defendants

NOTICE OF REMOVAL

**To: United States District Court
District of Massachusetts**

The petition of the defendant, Donna M. Gavin, asserts:

1. On or about April 17, 2019, plaintiffs commenced a civil action against the defendants entitled *G. Renee Payne-Callendar v. Donna M. Gavin and City of Boston Police Department*, Suffolk Superior Court, Civil Action No. 1984CV01212B, which was served upon Defendant Gavin on May 10, 2019, and subsequently served on Defendant City of Boston on or about June 4, 2019. A copy of the Verified Complaint and Jury Demand is attached hereto as Exhibit A.

2. Undersigned counsel received the Complaint and accompanying documents from their client on or about May 13, 2019.

3. The above-described action is a civil action of which this Court has original jurisdiction under the provisions of the 20 U.S.C. Section 1400 and is one which may be removed to this Court by the defendant pursuant to the provisions of 28 U.S.C. Section 1441. This is an action alleging claims including those arising out of the Constitution of the United States. The

defendants file this Notice of Removal within thirty (30) days of receipt of plaintiff's Complaint from their client on May 13, 2019 pursuant to 28 U.S.C. Section 1446(b).

4. Written notice of the filing of this Notice shall be promptly served upon the plaintiff and filed with the Clerk of the Suffolk County Superior Court pursuant to 28 U.S.C. Section 1446(d).

5. Pursuant to Local Rule 81.1 of the United States District Court for the District of Massachusetts, the defendants shall file certified or attested copies of all records and proceedings in the state court and certified or attested copies of all docket entries in the state court with this Court.

6. Counsel for co-defendant City of Boston has given undersigned counsel consent to remove this matter to federal court.

WHEREFORE, petitioners respectfully pray that the action now pending against them in the Superior Court of the Commonwealth of Massachusetts in and for the County of Suffolk, be removed to the United States District Court for the District of Massachusetts.

Signed and sworn to under the penalties of perjury this 10th day of June, 2019.

Defendant, Donna Gavin,
By her attorneys,

/s/Regina M. Ryan

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Dated: June 10, 2019

CERTIFICATE OF SERVICE

I hereby certify that on June 10, 2019, a true copy of the above document was served upon:

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/s/Regina M. Ryan

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